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By:

Christie L. Cermak
Christie L. Cermak

#8
JBLA
S-2A-04

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S) : Ying-wei Lin et al.
TITLE : A METHOD AND APPARATUS FOR
SEGMENTING AN IMAGE USING A
COMBINATION OF IMAGE
SEGMENTATION TECHNIQUES
APPLICATION NO. : 09/737,515
FILED : December 15, 2000
CONFIRMATION NO. : 9564
EXAMINER : Ali Bayat
ART UNIT : 2625
LAST OFFICE ACTION : February 17, 2004
ATTORNEY DOCKET NO. : A0647
XERZ 2 00391

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Technology Center 2600

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. §§ 1.56, 1.97, 1.98 and MPEP § 609, applicant(s) submit(s) the following Disclosure Statement concerning art of which the applicant(s) is(are) aware. A copy of PTO-1449 is enclosed herewith.

Under § 1.98(a)(3), no concise explanation of relevance is required for information that is in the English language. Accordingly, the enclosed art require no further explanation (or no translation is available).

Consideration of the appropriate paragraph(s) indicated below is respectfully requested:

05/21/2004 SDENBOB1 00000050 09737515

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- ☐ **WITHIN THREE MONTHS OF FILING:** Under § 1.97(b)(1), this Information Disclosure Statement is being filed within three months of the filing date of the application. Although it is believed no fee is necessary, any deficiency in fees should be charged to Deposit Account No. 24-0037.
- ☐ **BEFORE FIRST OFFICE ACTION:** Under § 1.97(b)(3), this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. Although it is believed no fee is necessary, any deficiency in fees should be charged to Deposit Account No. 24-0037.
- ☐ **INTERNATIONAL SEARCH REPORT:** Under § 1.97(e)(1), the undersigned certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. Although it is believed no fee is necessary, any deficiency in fees should be charged to Deposit Account No. 24-0037.
- ☒ **BEFORE FINAL ACTION/WITH FEE:** Under § 1.97(c)(2), this information shall be considered if filed before the mailing date of a final action if accompanied by a fee in the amount of \$180.00 as required by §1.17(p). Accordingly, the necessary fee accompanies this Information Disclosure Statement. Any overpayment or deficiency can be charged to Deposit Account No. 24-0037.
- ☐ **PRIORITY CLAIM:** The attached PTO 1449 Form includes all patents, publications, or other information previously cited by or submitted to the Office in one or more prior applications from which the present application claims priority. These one or more prior applications are identified in the papers accompanying the filing of this application. In accordance with 609 MPEP, only copies of art not previously submitted are enclosed.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

May 17, 2004
Date



Joseph D. Dreher, Reg. No. 37,123
Jeffrey N. Zahn, Reg. No. 54,864
1100 Superior Avenue
Seventh Floor
Cleveland, Ohio 44114-2579
(216) 861-5582

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By: Christie L. Cermak
Christie L. Cermak



#7
D-26-1A
S-27-24

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LETTER

The Examiner is hereby advised of co-pending U.S. Patent Application, Application Number 09/682,912 (filed October 31, 2001). The subject matter contained in this co-pending U.S. Patent Application, Application Number 09/682,912, is related to the above-identified application, and thus may be relevant to the subject matter of the instant application.

This co-pending application is not to be construed as prior art. By bringing this co-pending application to the attention of the Examiner, the Applicant does **NOT** waive any confidentiality concerning this co-pending application. 35 U.S.C. 122 (1988); see Medical Laboratory Automation Inc. v. Labcon Inc., 500 F.Supp. 54, 58 n.5 (N.D. Ill. 1980), aff'd, 670 F.2d 671 (7th Cir. 1981). Furthermore, if said co-pending application should not mature into a patent, said co-pending application should be preserved in secrecy under the provisions of 35 U.S.C. 122 (1988) and 37 C.F.R. 1.14.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & MCKEE LLP

Joseph D. Dreher, Reg. No. 37,123
Jeffrey N. Zahn, Reg. No. 54,864
1100 Superior Avenue, 7th Floor
Cleveland, Ohio 44114-2579
(216) 861-5582

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